

REMARKS

No new matter is added by this amendment. The present application is a continuation application of U.S. Patent Application Serial No. 10/033,783 filed December 27, 2001. In a preliminary amendment claims 1-9 were cancelled and new claims 10-19 were added. The claims remaining in consideration are claims 10-19. Claim 18 and 19 stand withdrawn in response to a restriction requirement.

Claims 10-17 were rejected under 35 USC §102(b) as being unpatentable over US Patent 1,150,790 issued April 10, 1912. This rejection is respectfully traversed.

Claim 10 is the only independent claim. Independent claim 10 sets forth an assembly for mounting to a structure. The assembly includes a base and a cover. The base has first and second and includes a first base portion and a second base portion.

The first base portion has at least one first portion rib and at least one first portion planar surface adjacent the at least one first portion rib. The at least one first portion rib has a generally U-shaped cross-section and is located between the first and second sides. The first base portion has at least one first portion notch located at each side.

The second base portion has at least one second portion rib and at least one second portion planar surface adjacent the at least one second portion rib. The at least one second portion rib has a generally U-shaped cross-section and is located between the first and second sides. The base second portion has at least one second portion lug extending from each side.

The specification includes various embodiment of the present invention. One embodiment of the base is shown in Figure 66. The base 920 includes two or more planer surfaces 926 with adjacent ribs 928. The base 920 is one piece and the ribs 928 add structural rigidity. The notches or slots 930 are shown in the planer surfaces 926 (although the claim only requires the notches in the first planer surface). Exemplary lugs 1027 are shown in Figure 73.

The cover has first and second sides, a first cover portion and a second cover portion and being removably connectable with the base. The first cover portion has an inwardly facing projection located on each side of the cover. Each inwardly facing projection corresponding with one of the first portion notches. The second cover portion

has a blind recess located at one each side of the cover. Each blind recess corresponds to one of the second portion lugs.

In contrast, the '790 patent shows a much simpler device. The '790 patent discloses metal door trim which is held in place using clips (22). With respect to Figure 1, the trim pieces 18 and 19 surround a door frame (one of each piece 19 on either side of the door frame). For each trim piece (18,19), multiple clips are required (see Figure 1). In Figure 1, for the left trim piece 19, there are two visible clips 22 and five additional clips shown in phantom. For the right trim piece 19, there are seven clips shown in phantom. And for the top trim piece 18, there are five clips shown in phantom.

The Examiner, attempts to meet the elements of independent claim 10, by referring to an annotated copy of Figures 1 and 3 of the '790 patent. On Figure 1, the Examiner seems to indicate that the left and right trim pieces meet the first and second base portion limitations of independent claim 10. However, the trim pieces in the '790 patent are the covers and are mounted to the clips 22. The trim pieces cannot be analogous to the base of independent claim 10.

First, as noted above, in the present invention, the base includes both the first and second base portion. The base portions are adjacent and each includes a rib and a planar surface. The first base portion has a notch and the second base portion has a lug extending from a side of the second base portion.

The cover includes an inwardly facing projection which is received by the notch and a blind recess which corresponds to the lug.

The '790 patent does not disclose this structure. Therefore, applicants respectfully assert that the '790 duty does not include each and every limitation of independent claim 10, and, thus, must be withdrawn.

Claims 11-19 are ultimately dependent upon allowable claim 10. Thus, for the reasons set forth above, and based on their own merits, applicants assert that dependent claim 11-19 are also allowable.

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Enclosed is a check in the amount of \$120.00 to cover the fee associated with the one-month extension of time as set forth in 37 CFR 1.17(a)(1). Applicant believes that no other fees are due, however, if any become required, the Commissioner is hereby authorized to charge any additional fees or credit any overpayments to Deposit Account 08-2789 in the name of Howard & Howard Attorneys, P.C.

Respectfully submitted

HOWARD & HOWARD ATTORNEYS, P.C.



September 22, 2005

Date

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CERTIFICATE OF MAILING

I hereby certify that this Amendment, Form PTO/SB/22, and fee are being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to the Commissioner for Patents, **MAIL STOP AMENDMENT - FEE**, P.O. Box 1450, Alexandria, VA 22313-1450 on September 22, 2005.

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